

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
JASPER DIVISION**

BRIAN DARNELL CASEY, SR.,	)	
	)	
Petitioner,	)	
	)	
v.	)	Case No. 6:20-cv-1078-MHH-SGC
	)	
NICK SMITH,	)	
	)	
Respondent.	)	


**MEMORANDUM OPINION**

The petitioner, Brian Darnell Casey, Sr., a state court pretrial detainee proceeding in this matter without representation, filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. Mr. Casey challenges his state pretrial detention related to state assault and unlawful distribution charges. (Doc. 1). On April 23, 2021, the Magistrate Judge recommended dismissal of Mr. Casey's petition in this action with respect to the assault charge as duplicative of Mr. Casey's previously filed § 2241 petition in this district court, *see Casey v. Calloway*, Case No. 6:19-cv-00873-ACA-SGC (N.D. Ala. *filed* June 6, 2019). (Doc. 8, pp. 4–5, 7). The Magistrate Judge also recommended dismissal of the petition in this action with respect to all claims pursuant to the *Younger* abstention and/or exhaustion doctrines. (Doc. 8, p. 7). Although the Magistrate Judge advised Mr. Casey of his right to file

specific written objections within 14 days, to date, the Court has not received objections from Mr. Casey.

Since the Magistrate Judge entered her report in this case, the district judge presiding over Mr. Casey's first-filed § 2241 petition dismissed that action. *Casey v. Calloway*, 19-0873-ACA-SGC, Docs. 9, 10. Therefore, the petition in this action no longer is duplicative, but, by separate order, the Court will dismiss Mr. Casey's current petition because he has not exhausted his available state court remedies.

**DONE** and **ORDERED** this June 22, 2021.

  
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**MADELINE HUGHES HAIKALA**  
UNITED STATES DISTRICT JUDGE